

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:20-CV-00589-BR

**Tamar Escander,**

Plaintiff,

v.

**Christine Wormuth, Secretary of the  
Army,**

Defendant.

**Scheduling Order**

After considering pleadings and the Rule 26(f) Report submitted by the parties (D.E. 47), the Court enters the following scheduling order:

**1. Scope of Discovery**

The scope of discovery in this matter is limited to the issues identified in Paragraph 3 (B)(1) of the Rule 26(f) Report.

**2. Initial Disclosures**

If the parties have not already done so, they will make the initial disclosures required by Rule 26(a)(1) by Friday, January 28, 2022.

**3. Discovery Plan**

a. All discovery shall be initiated in time to be completed by Friday, July 01, 2022.

b. Each party may serve on any other party up to 25 interrogatories, including all discrete subparts.

c. Any objection to Interrogatories or Requests for Production shall be stated with particularity. Boilerplate objections (e.g. objections without a particularized basis, such as “overbroad, irrelevant, burdensome, not reasonably calculated to identify admissible evidence”) may be treated as a failure to answer pursuant to Rule 37(a)(4).

d. Each party may take up to 10 depositions of non-party fact witnesses. Absent a court order or stipulation by the parties, the length of each deposition shall be

limited to seven hours on one day. Time taken for breaks and recesses shall not count towards the hour limit.

e. Supplementation required under Rule 26(e) , when possible, should be made in time for the opposing party to conduct follow up discovery.

#### **4. Expert Reports**

a. The parties shall make the disclosures required by Rule 26(a)(2) on the following schedule:

i. Disclosures shall be made no later than Tuesday, March 15, 2022.

ii. Rebuttal disclosures shall be made no later than Friday, April 15, 2022.

#### **5. Amendment of Pleadings and Addition of Parties**

a. Except as provided by Rule 15(a), the parties must obtain leave of court to amend the pleadings or add parties.

b. The Plaintiff shall file a motion to amend the pleadings or join additional parties no later than Thursday, April 07, 2022.

c. The Defendant shall file a motion to amend the pleadings or join additional parties no later than Tuesday, February 22, 2022.

#### **6. Protective Orders**

Any proposed protective orders that discuss filing materials under seal must comply with Local Civil Rule 79.2 and the presiding judge's practice preferences. Failure to include the necessary language will result in the court denying the motion without prejudice.

#### **7. Dispositive Motion Deadline**

The parties shall file any dispositive motions by Friday, August 12, 2022.

#### **8. Trial Date and Related Deadlines**

The trial date and related deadlines will be set by separate order at a later date. However, the court reserves the right to schedule the case for trial as soon as 30 days after the dispositive motion deadline.

#### **9. Discovery of Electronically Stored Information**

The parties are unaware of any special issues related to the disclosure or discovery of electronically stored information.

#### **10. Extensions of Time to Respond to Discovery Requests**

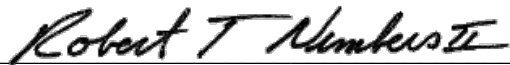
Under Rule 29(b) of the Federal Rules of Civil Procedure the parties may stipulate to extensions of time to respond to discovery and do not need to seek court approval unless the proposed extension would interfere with the time set for completing discovery, for hearing a motion, or for trial. Motions for extensions of time to respond to discovery that could be addressed through a stipulation will be viewed with disfavor by the court.

#### **11. Consent to Magistrate Judge Jurisdiction**

A United States magistrate judge is available to conduct all proceedings in this action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent and the district judge agrees that referral would be appropriate. The consent form is available on the court's website.

The remaining portions of the Rule 26(f) Report that are not inconsistent with this Scheduling Order are approved and adopted by the court.

Dated: January 11, 2022.

  
ROBERT T. NUMBERS, II  
UNITED STATES MAGISTRATE JUDGE